IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.23 OF 2001
IN
NOTICE OF MOTION NO.1850 OF 2000
IN
SUIT NO.2509 OF 2000

Tata Hsg. Dev. Co. Ltd. ....Petitioners

V/s.

The Treasurer of Charitable Endowmnets for India & Ors. ....Respondents

Mr.Virag Tulzapurkar with Mr.Aditya Chitale for the Petitioners.

Mr.S.R. Rajguru i/b T.C. Kaushik for Respondent No.1.

CORAM : S.J. VAZIFDAR, J.
DATED : 3RD SEPTEMBER, 2004.

P.C. :

1. Despite the order of this Court dated 8th August, 2000, the Respondents refused to comply with the same on one ground or the other even after the Special Leave Petition filed by the Respondents in the Supreme Court was dismissed on 4th March, 2002. The Petitioners were forced ultimately to take out a

Chamber Summons for execution of the said order. By an order dated 25th June, 2003 in view of the conduct of the Respondents, the Prothonotary & Senior Master was directed under Order XXI Rule 24 of the Code of Civil Procedure to execute a Deed of Confirmation, as directed by the order dated 8th August, 2000.

2. Mr.Rajguru, the learned counsel appearing on behalf of Respondent No.1 tenders an apology. He referred to the various proceedings and the application that was made in the matter.

3. In the facts and circumstances of this case, it is necessary at the very least to pass an order for costs against Respondent Nos.1 and 2. This order is being passed only after taking a lenient view of the matter.

4. In the circumstances, Respondent Nos.1 and 2 shall each pay to the Petitioners costs of this Petition fixed at Rs.5000/-. Mr.Tulzapurkar, the learned counsel appearing on behalf of the Petitioners states that the amount may be donated to the National Association for Blind. The same shall be done within twelve weeks from today. The receipts shall be produced by the Respondents for the same before this

Court.

5. The Contempt Petition is accordingly disposed of.

. Parties to act on an ordinary copy of this order duly authenticated by the Chamber Registrar / Court Stenographer of this Court.